

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

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|---------------------------|---|---------------------------|
| ROBERT KELLY CARTER, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Docket No. 2:13-cr-196-NT |
| |) | Docket No. 2:15-cv-186-NT |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent |) | |

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on November 11, 2016 his Recommended Decision (ECF No. 80). The Petitioner filed his Objection to the Recommended Decision (ECF No. 83) on December 28, 2016. The Respondent filed its Response to the Plaintiff's Objection (ECF No. 86) on February 16, 2017.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**. With respect to the Petitioner's

claim regarding the notice of appeal, I will allow an additional forty-five (45) days to submit admissible evidence that the Petitioner believes corroborates his communications with his counsel regarding the notice of appeal. If the Petitioner files any such evidence, I will permit the Government to file a response to the Petitioner's submission within 30 days of the filing.

SO ORDERED.

/s/ Nancy Torresen
United States Chief District Judge

Dated this 3rd day of March, 2016.